

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harold Rodriguez	Team: Squad #11	CCRB Case #: 201806956	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 08/20/2018 11:34 PM	Location of Incident: [REDACTED]	Precinct: 18	18 Mo. SOL 2/20/2020	EO SOL 2/20/2020	
Date/Time CV Reported Wed, 08/22/2018 4:16 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 08/22/2018 4:16 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. DT1 Thomas Janow	06944	919207	I.A.B.

Officer(s)	Allegation	Investigator Recommendation
A.DT1 Thomas Janow	Force: Detective Thomas Janow used physical force against an individual.	[REDACTED]
B.DT1 Thomas Janow	Force: Detective Thomas Janow used physical force against § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On August 22, 2018, § 87(2)(b) filed the following complaint with the CCRB via the online website complaint form on behalf of herself and an unidentified male.

On August 20, 2018, § 87(2)(b) and § 87(2)(b) stood outside of Radio City Music Hall, located at 1260 Avenue of the Americas in Manhattan. The sidewalk was sectioned off by metal barricades to prevent people from entering the street after the MTV Video Music Awards ceremony. An unidentified male ran into the street from behind the barricade and was grabbed by an officer identified as Detective Thomas Janow from Internal Affairs Bureau. Det. Janow pushed the male towards the opening of the metal barriers where § 87(2)(b) stood (**Allegation A – Force: § 87(2)(g)**). Det. Janow then picked up the metal barrier and slammed it shut, hitting § 87(2)(b) in the legs, causing bruising to her knee (**Allegation B – Force: § 87(2)(g)**).

There is video footage associated with this case (Board Review 01).

Findings and Recommendations

Allegation A – Force: Detective Thomas Janow used physical force against § 87(2)(b)

§ 87(2)(b) stated that at the time of the incident, the MTV Video Music Awards were over and a large crowd of people stood outside to wait for celebrities to exit the venue. The crowd of people was sectioned off across the street by metal barriers to prevent people from entering the street. An unidentified male ran into the middle of the street and was grabbed by Det. Janow. Det. Janow brought the male to an opening in the barriers that were located in front of § 87(2)(b). Det. Janow opened the gate and pushed the male through, causing him to collide with § 87(2)(b) (Board Review 02).

§ 87(2)(b)'s statement was consistent with § 87(2)(b)'s that the unidentified male was pushed through the metal barriers (Board Review 03).

Det. Janow stated that he was assigned to pedestrian control and recalled that an unidentified male ran into the street. He acknowledged grabbing him and pulling him through the opening in the barrier because nobody was allowed on the street (Board Review 04).



201806956_20181115_0838_DM.MOV

The video provided by § 87(2)(b) depicts Det. Janow escorting a male towards the barrier, while stating, “Behind the fence.” Det. Janow pushes open the barrier and § 87(2)(b) points the camera away when the male goes through the barrier. Since it is pointed away, it is not visible if Det. Janow pushed the male through the barrier.

§ 87(2)(g)

Allegation B - Force: Detective Thomas Janow used physical force against § 87(2)(b)

§ 87(2)(b) also alleged that when Det. Janow pushed the male through, he intentionally picked up the metal barrier and slammed it shut, hitting her in the knee and causing a bruise. She could not recall which knee was hit or bruised. She did not seek medical attention for the bruising.

§ 87(2)(b)'s statement was consistent with § 87(2)(b)'s that the barrier hit § 87(2)(b)'s knee.

Det. Janow did not recall § 87(2)(b) specifically being behind the barrier and did not hear anyone complain that they were hit with the barrier when he opened it. He did not intentionally hit § 87(2)(b) with the barrier and did not push the unidentified male individual into her.

The video provided by § 87(2)(b) depicts Det. Janow pushing the barrier to open it and then pulling it shut. There is no clear indication that the barrier hit § 87(2)(b) other than § 87(2)(b) being heard asking if she was okay.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 05).
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- Detective Janow has been a member of service for 21 years and has been the subject in six CCRB complaints and 14 allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- This case was sent to the Mediation Unit on September 12, 2018. The case was sent back for investigation on October 16, 2018 after Det. Janow declined to mediate.
- A Notice of Claim request was sent to the New York City Comptroller's office on November 29, 2018 and the results will be added to the case file upon receipt.
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City.
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Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____

Signature

Print Title & Name

Date

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